

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

IN RE MICHAELS STORES PIN PAD  
LITIGATION

Case No. 1:11-cv-03350

CLASS ACTION

Honorable Charles P. Kocoras

-----  
This Documents Relates to All Actions

**JOINT MOTION FOR PRELIMINARY  
APPROVAL OF CLASS ACTION SETTLEMENT**

Plaintiffs Mary Allen, Kelly M. Maucieri, Brandi Ramundo, Adrianna Sierra, Sara Rosenfeld, Ilana Sofer, Lori Wilson, Jeremy Williams, and Kimberly M. Siprut (“Plaintiffs”), individually and on behalf of all others similarly situated, and Defendant Michaels Stores, Inc. (“Michaels”), hereby move pursuant to Rule 23 of the Federal Rules of Civil Procedure for entry of an Order:

1. Preliminarily approving the Class Action Settlement Agreement and all exhibits thereto (“Settlement Agreement,” Exhibit 1 hereto) and entering the [Proposed] Order Granting Preliminary Approval to Proposed Class Settlement attached as Exhibit A thereto;
2. Preliminarily certifying a nationwide class under for settlement purposes (“Settlement Class”) as more particularly defined in the Settlement Agreement;
3. Conditionally certifying Plaintiffs as class representatives and appoint Plaintiffs’ counsel as Class Counsel;
4. Approving the proposed form and method of providing notice of the pendency of this action and the Settlement to the Settlement Class and directing that notice be provided to the Settlement Class members;

5. Scheduling a Fairness Hearing at which the Court can consider the request for final approval of the Settlement and entry of a proposed order and final judgment and setting forth procedures and deadlines related thereto; and

6. Granting such other and further relief the Court deems just and proper.

**Dated:** December 13, 2012

Respectfully submitted,

<p><b>WOLF HALDENSTEIN ADLER FREEMAN &amp; HERZ LLC</b></p> <p>By: <u>/s/ Adam J. Levitt</u> Adam J. Levitt Edmund S. Aronowitz 55 West Monroe Street, Suite 1111 Chicago, Illinois 60603 Tel: (312) 984-0000 Fax: (312) 984-0001 <a href="mailto:levitt@whafh.com">levitt@whafh.com</a> <a href="mailto:aronowitz@whafh.com">aronowitz@whafh.com</a></p> <p>Scott A. Bursor (<i>pro hac vice</i>) Joseph I. Marchese (<i>pro hac vice</i>) <b>BURSOR &amp; FISHER, P.A.</b> 888 Seventh Avenue New York, New York 10019 Tel: 212-983-9113 Fax: 212-983-9163 <a href="mailto:scott@bursor.com">scott@bursor.com</a> <a href="mailto:jmarchese@bursor.com">jmarchese@bursor.com</a></p> <p>Anthony Vozzolo (<i>pro hac vice</i>) Christopher Marlborough <b>FARUQI &amp; FARUQI, LLP</b> 369 Lexington Ave., 10th Floor New York, New York 10017 Tel: 212-983-9330 Fax: 212-983-9331 <a href="mailto:avozzolo@faruqilaw.com">avozzolo@faruqilaw.com</a> <a href="mailto:cmarlborough@faruqilaw.com">cmarlborough@faruqilaw.com</a></p> <p><i>Attorneys for Plaintiffs and the Proposed Settlement Class</i></p>	<p><b>SEYFARTH SHAW LLP</b></p> <p>By: <u>/s/ Jeffrey P. Swatzell</u> Jeffrey P. Swatzell 131 South Dearborn Street, Suite 2400 Chicago, Illinois 60603 Telephone: (312) 460-5000 Facsimile: (312) 460-7000 Email: <a href="mailto:JSwatzell@seyfarth.com">JSwatzell@seyfarth.com</a></p> <p>Neil K. Gilman (<i>Admitted pro hac vice</i>) DC Bar No. 449226 <b>HUNTON &amp; WILLIAMS LLP</b> 2200 Pennsylvania Avenue, N.W. Washington, DC 20037 Telephone: (202) 955-1500 Facsimile: (202) 778-2201 Email: <a href="mailto:ngilman@hunton.com">ngilman@hunton.com</a></p> <p>John J. Delionado (<i>Admitted pro hac vice</i>) Florida Bar No. 0499900 <b>HUNTON &amp; WILLIAMS LLP</b> 1111 Brickell Avenue, Suite 2500 Miami, Florida 33131 Telephone: (305) 810-2500 Facsimile: (305) 810-2460 Email: <a href="mailto:jdalionado@hunton.com">jdalionado@hunton.com</a></p> <p><i>Counsel for Defendant Michaels Stores, Inc.</i></p>
--	--

**CERTIFICATE OF SERVICE**

I hereby certify that on December 13, 2012, a copy of the foregoing document was filed electronically using the CM/ECF System. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system. In addition, a copy of the foregoing was served on the following via electronic mail:

David J. Disabato (ddisabato@disabatolaw.com)  
Disabato & Bouckennooghe LLC  
8 Mansfield Court  
Mendham, New Jersey 07945  
(973) 813-2525

***Counsel for Plaintiff Lori Wilson***

By: /s/ Edmund S. Aronowitz  
Edmund S. Aronowitz